

EXHIBIT C

Exhibit C to Seagen's Motion to Compel re Arbitration Materials

2021-12-03 Chivvis Email re Meet & Confer Agenda

From: [Chivvis, Matthew Alan](#)
To: MacLean, Teresa A.; Ratliff, Preston K.; Seagen-DSC_FDTX_MoFo; Fix, Cynthia D.; Andrea Fair; Chad Everingham; Melissa Smith; T. John Ward, Jr.; Travis Underwood; Chang, Evelyn Li-Jin; Mays-Williams, Ashley; Deron Dacus; Shannon Dacus; DS_Enhertu_PH; G. Blake Thompson; O'Malley, Joseph M.; Ashkenazi, Isaac S.; J. Mark Mann; Pade, Jeff A.; Fleischacker, Justin T.; Ozawa, Kyotaro; Marek, Michelle; Jennifer Parker Ainsworth; Pahl, Jessica; Kayali, Kathryn; Enhertu; Hoagland-Hanson, Kevin; Berl, David; Fletcher, Thomas; Fix, Cynthia D.
Subject: RE: Seagen Inc. v. Daiichi Sankyo Co., Ltd., E.D. Tex. Case No. 2:20-cv-00337-JRG
Date: Friday, December 3, 2021 5:24:41 PM
Attachments: [image001.png](#)

Here are items we have for our Monday discussion.

- lab notebooks identified in the Morita depo; motion for leave and briefing schedule
- timing of DSC supplementing its response to Seagen's Interrogatory 24 and to verify its responses
- Arthur Mann, Nobu Kodama, Patricia Barbieri, and Seth Flaum's access to Seagen confidential information
- production of expert reports and testimony from arbitration; defendants requested that Seagen reports and testimony be produced; is DSC willing to produce that information from its own technical and damages experts?

Matthew
415.268.7307

2021-12-06 Chivvis Email following up on Meet & Confer

From: [Chivvis, Matthew Alan](#)
To: MacLean, Teresa A.; Ratliff, Preston K.; Seagen-DSC_FDTX_MoFo; Fix, Cynthia D.; Andrea Fair; Chad Everingham; Melissa Smith; T. John Ward, Jr.; Travis Underwood; Chang, Evelyn Li-Jin; Mays-Williams, Ashley; Deron Dacus; Shannon Dacus; DS_Enhertu_PH; G. Blake Thompson; O'Malley, Joseph M.; Ashkenazi, Isaac S.; J. Mark Mann; Pade, Jeff A.; Fleischacker, Justin T.; Ozawa, Kyotaro; Marek, Michelle; Jennifer Parker Ainsworth; Pahl, Jessica; Kayali, Kathryn; Enhertu; Hoagland-Hanson, Kevin; Berl, David; Fletcher, Thomas; Fix, Cynthia D.
Subject: RE: Seagen Inc. v. Daiichi Sankyo Co., Ltd., E.D. Tex. Case No. 2:20-cv-00337-JRG
Date: Monday, December 6, 2021 7:29:12 PM
Attachments: [image001.png](#)

Counsel,

Following up on our meet and confer of earlier today, Seagen will be producing the requested arbitration expert reports and testimony of Dr. Bertozi and Ms. Distler.

Seagen will also move to compel the complementary reports and testimony of Drs. King and Rao, which we long ago requested and we discussed during the meet and confer, but which DSC has refused to produce. In addition to the reasons we discussed on the call, these reports and testimony are needed to put proper context on the reports and testimony of Seagen's experts, as Seagen's experts responded to DSC's experts in their testimony in the arbitration. Hence, the reports and testimony of DSC's experts are now clearly relevant. *See* L.R. CV-26(d).

If defendants would like to avoid motion practice and accept the compromise Seagen offered during meet and confer—that both sets of reports and testimony get produced—please let us know by noon Pacific tomorrow.

Regards,

Matthew
415.268.7307